

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROSE FEAVER, et al.,
Plaintiffs,
v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,
Defendants.

Case No. 15-cv-00890-EMC

**ORDER RE SUPPLEMENTAL
BRIEFING**

Docket No. 57


On May 9, 2016, Plaintiffs Rose Feaver, Artin Adamian, and Myungshun Shim and Defendants Kaiser Foundation Health Plan, Inc. and Kaiser Foundation Hospitals (collectively, Kaiser) filed a joint motion for approval of a settlement agreement and dismissal of lawsuit. Docket No. 57.

Some courts have suggested that in approving a Fair Labor Standards Act settlement, the Court should review the fairness of the settlement, including “whether the settlement is a fair and reasonable resolution of a bona fide dispute.” *Yue Zhou v. Wang’s Rest.*, No. C 05-279 PVT, 2006 U.S. Dist. LEXIS 84397, at *5 (N.D. Cal. Nov. 9, 2006). Here, the parties have not provided any information that will allow the court to make this determination, such as the value of the claim for each of the Plaintiffs. *Compare with id.* at *9 (finding \$7,000 settlement reasonable where the plaintiff had viable claims for up to \$9,731.34, plus taxes); *Lee v. Timberland Co.*, Case No. C 07-2367 JF, 2008 U.S. Dist. LEXIS 108098, at *5-6 (N.D. Cal. June 19, 2008) (acknowledging difficulty of providing precisely how many overtime hours were worked by the fourteen plaintiffs, and finding that the proposed award of 70% of the gross claim alleged by each of the plaintiff was a reasonable compromise). The parties must therefore file information on the estimated value of

each of the claims to be settled and how this value was calculated by **Thursday, June 16, 2016** at **12:00 P.M.** This supplemental briefing may be filed through an administrative motion to file under seal.

IT IS SO ORDERED.

Dated: June 13, 2016



EDWARD M. CHEN
United States District Judge